United Nations A/49/PV.101

General Assembly
Forty-ninth Session

Official Records

101st Meeting
Thursday, 13 April 1995, 10 a.m.
New York

President: Mr. Essy ..... Côte d'Ivoire

In the absence of the President, Mr. Mwaungulu (Malawi) (Vice-President) took the Chair.

The meeting was called to order at 11 a.m.

Agenda item 37 *(continued)*

Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance

(b) Special economic assistance to individual countries or regions

Report of the Secretary-General (A/49/885)

Draft resolution (A/49/L.65)

The President: Members will recall that at its 74th plenary meeting, on 2 December 1994, the Assembly adopted resolution 49/21 B, entitled "Financing of the Palestinian Police Force". Members will also recall that at its 99th plenary meeting, on 31 March 1995, the Assembly decided to reopen consideration of this sub-item, at the request of Norway, so that the Assembly could consider a draft resolution on the financing of the Palestinian Police Force.

The report of the Secretary-General on the financing of the Palestinian Police Force has been circulated in document A/49/885.

In this connection, the Assembly has before it a draft resolution issued as document A/49/L.65.

I call on the representative of Norway to introduce draft resolution A/49/L.65.

Mr. Biørn Lian (Norway): I have the pleasure to introduce draft resolution A/49/L.65, regarding on the financing of the Palestinian Police Force, on behalf of the following sponsors: Austria, Belgium, Denmark, Egypt, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Netherlands, Portugal, Russian Federation, Spain, Sweden, United Kingdom and United States of America.

On 2 December last year, the General Assembly unanimously adopted resolution 49/21 B, in which the Secretary-General was requested to designate a United Nations agency to disburse, in light of the activities of the Ad Hoc Liaison Committee, the voluntary contributions given by donors for salaries and other start-up costs of the Palestinian Police Force for a period ending not later than the end of March 1995.

The Ad Hoc Liaison Committee was set up to coordinate external assistance to the Palestinian Authority effectively, including the financing of a Palestinian Police Force.

As can be seen from his report (A/49/885), the Secretary-General has designated the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) as the agency responsible for

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implementation of resolution 49/21 B. A technical mechanism with procedures to be followed to effect payment of salaries and other recurrent costs of the Palestinian Police Force was set up on the basis of a Memorandum of Understanding between representatives of the Palestinian Police Force and UNRWA, and witnessed by the United Nations Special Coordinator in the Occupied Territories and by a representative of the Ad Hoc Liaison Committee.

I should like today to commend UNRWA which, together with the Office of the Special Coordinator in the Occupied Territories and the United Nations Development Programme, and in cooperation with the Palestinian Authority and donors, has done a very satisfactory job of establishing an effective temporary mechanism for disbursing to the Palestinian Police Force the voluntary contributions that the donors have placed at UNRWA's disposal. I should also like to thank the donors, for their valuable contributions to the Palestinian Police Force.

Regrettably, despite these contributions, there is still a funding shortfall of $1.2 million for the total salaries for the period ending March 1995. With regard to other recurrent costs, only two months have been covered by donor contributions.

In light of the positive experience with the arrangement to date and the difficult financial situation of the Palestinian Authority, Norway, as Chairman of the Ad Hoc Liaison Committee, believes that the arrangement should continue for some time; the objective of the present draft resolution — which has the full support of the parties — is to request the Secretary-General once again to designate UNRWA to disburse salaries and other start-up costs of the Palestinian Police Force for an additional period ending not later than 31 December 1995. This is reflected in paragraph 1 of the resolution. In our view, the wording "not later than" means that the present arrangement does not have to continue until the end of the year if other satisfactory arrangements are in place before that time.

In paragraph 2, all Member States are again encouraged to make voluntary contributions to the financing of the Palestinian Police Force through UNRWA. As the Secretary-General has made very clear in his report, the responsibility for providing the necessary funds lies with the donors: the United Nations operates only as a channel for voluntary contributions and not as a donor to the Police Force. Given the serious situation in the area and the very clear and urgent need for international assistance, I strongly hope that paragraph 2 is given all due consideration. The important role of the Palestinian Police Force has over the last weeks and days been clearly underlined. It is of fundamental importance for the continuation of the peace process to have this force up and running with a secure financial basis.

Norway has given high priority to this work. We do, however, underline the need for burden-sharing by all parties involved. While donor countries, in the short run, will have to renew their efforts, the Palestinian Authority should gradually take full financial responsibility for the Police Force. In order for this to happen, measures will have to be taken in order to secure the income base for the Palestinian Authorities.

Given the urgency of the security situation, Norway will soon give additional funding for the Palestinian Police Force.

I respectfully submit the draft resolution for adoption by consensus.

The President: We shall now proceed to consider draft resolution A/49/L.65. I shall now call on the representative of the United States of America who wishes to speak in explanation of position. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Gelber (United States of America): The United States is pleased to join consensus on the draft resolution before the Assembly.

In September 1993, Israel and the PLO signed a historic Declaration of Principles, which began the process of bringing peace between Palestinians and Israelis. The next major step came in May 1994, when the parties concluded an agreement for the transfer of authority in the Gaza Strip and Jericho and the establishment of the Palestinian Police Force to maintain public order and internal security in these self-ruled areas.

Israel and the PLO concluded a further agreement in August 1994 which provided for a transfer of authority in the spheres of education and culture, health, social welfare, tourism and taxation. The parties are now working on additional agreements which will provide for elections and a further transfer of authority on the West Bank.

Throughout this process, a strong and credible Palestinian Police Force has been in the mutual interest of both Israel and the Palestinians, and is critical to the successful implementation of the Declaration of Principles and its follow-on agreements. Only in a stable and secure environment will it be possible to consolidate the peace gains to date and to achieve the economic and social conditions necessary to effect positive and sustained changes on the ground.

Against this background, we believe that continued international support for the Palestinian Police Force is particularly important and very much needed.

My delegation would like to draw the attention of the Assembly to paragraph 2 of the draft resolution before us, which

> "*Encourages* all Member States to contribute funds for this purpose through the United Nations Relief and Works Agency for Palestine Refugees in the Near East."

The United Nations mechanism has been a crucial and effective instrument in facilitating this support, and we urge that the draft resolution be adopted by consensus.

The President: We have heard the only speaker in explanation of position.

The Assembly will now take a decision on draft resolution A/49/L.65, entitled "Financing of the Palestinian Police Force".

May I take it that the Assembly decides to adopt draft resolution A/49/L.65?

The draft resolution was adopted (resolution 49/210).

The President: In accordance with General Assembly resolutions 3237 (XXIX) of 22 November 1974 and 43/177 of 15 December 1988, I call on the observer of Palestine.

Mr. Al-Kidwa (Palestine) *(interpretation from Arabic):* My delegation would like at the outset to express its deepest thanks to the Permanent Representative of Norway for introducing the draft resolution just adopted on the financing of the Palestinian Police Force. We should also like to thank him for his delegation's efforts in this regard.

We wish also to express our thanks to the Member States that sponsored the resolution, and of course, to all States Members of the Organization for adopting the resolution by consensus. That consensus was an expression of the importance attached by the international community to the important issue of maintaining a minimum reasonable level of financing for the Palestinian Police Force.

On this occasion, we must also express our appreciation to the donor countries and relevant United Nations organs in general and to the United Nations Relief and Works Agency for Palestine Refugees in the Near East in particular.

While expressing that appreciation, we cannot but draw the attention of the Assembly to the grave deterioration in the economic situation in the occupied Palestinian territories, including Jerusalem and, of course, the area under the Palestinian Authority.

We agree with the Permanent Representative of Norway on the need to share the burden, particularly from the point of view of the donor countries. It is most unfortunate that some of the donors have not honoured the commitments they have made to the Palestinian Authority in this regard even though for its part the Palestinian Authority is making every possible effort to fulfil all its obligations. Ensuring an income basis for the Palestinian side requires, in our view at least, specific measures by Israel to make radical changes in its policies and practices of the recent sorry period.

Some of those policies and practices have led directly to the deterioration in the Palestinian people's standard of living and in our economy. Perhaps the most salient example of these policies and practices is the enclosure of the territories, not only along the border with Israel but also against the rest of the world, and the dissection of the territories by separating the Gaza Strip from the West Bank, by isolating the West Bank from East Jerusalem and, indeed, by cutting some parts of the West Bank off from the rest.

It would, of course, be possible although superfluous to run off a list of the practices and policies that run counter to the agreements, including the economic agreement, contracted by the parties, but we merely call for an immediate end to them before it is too late.

Our Palestinian people will always appreciate the assistance it is receiving from the international community during this crucial period in its history and in its struggle towards its national rights, foremost among which is the right to build its national State with Jerusalem as its capital.

The President: I call on the representative of Israel, who wishes to speak in exercise of the right of reply.

Mr. Jacob (Israel): I do not intend to engage in a polemic debate with the Permanent Observer of the PLO. I believe that the draft resolution just adopted by the General Assembly is a very positive one, and Israel supported it. We would like to commend Norway for preparing this draft, and the donors for their valuable contribution to the Palestinian Police Force.

With regard to the comment made by the Permanent Observer of the PLO, I wish to state that the recent measures taken by the Government of Israel are not intended as a collective punishment of the Palestinians. These are very legitimate measures of self-defence in the light of the recent terrorist attacks perpetrated by Palestinian terrorists against Israeli civilians and soldiers.

The President: In accordance with General Assembly resolutions 3237 (XXIX) of 22 November 1974 and 43/177 of 15 December 1988, I now call on the observer of Palestine, who also wishes to speak in exercise of the right of reply.

Mr. Al-Kidwa (Palestine) *(interpretation from Arabic)*: I merely wished to comment briefly on the statement by the representative of Israel.

First, I must draw the attention of the representative of Israel to the need to use the official name of our delegation. We are the Permanent Observer Mission of Palestine to the United Nations. That is our name, as accredited to the United Nations, and I am therefore not the Permanent Observer of the PLO. I express the hope that this usage is merely a technical error and does not express a political position, rejecting the use of the correct nomenclature.

Secondly, and much to my regret, the measures taken by Israel that I mentioned in my first statement were taken even before any of the latest events, which we for our part, strongly condemn.

I do not believe that anyone can justify those measures of Israel as legitimate, as the representative of Israel said they were: they include, *inter alia*, isolating the Gaza Strip from Egypt, closing off the West Bank from the Hashemite Kingdom of Jordan and isolating the entire Gaza Strip from the West Bank. As I said, I do not wish to run off a list of measures such as withholding monies due to the Palestinian Authority from the taxation of our own Palestinian people. That is not my objective; I merely wanted to draw the attention of the international community to the gravity of the economic situation in the territories and to the need for all three parties — the donor countries, the Palestinian Authority and the Israeli Government — to take immediate steps to change the situation.

The President: We have concluded this stage of our consideration of sub-item (b) of agenda item 37.

Introduction of the report of the Fifth Committee

The President: I call on the Rapporteur of the Fifth Committee to introduce the report of the Fifth Committee on agenda item 146.

Mr. Djacta (Algeria), Rapporteur of the Fifth Committee *(interpretation from French)*: I have the honour to present to the General Assembly Part III of the report of the Fifth Committee on agenda item 146, which was considered by the Committee during the resumed forty-ninth session of the General Assembly.

Part III of the Fifth Committee's report entitled "Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991", is contained in document A/49/810/Add.2. In paragraph 8 of that report, the Fifth Committee recommends to the Assembly the adoption of a draft resolution, which was adopted by the Committee without a vote.

I should like to point out that, once again, the Fifth Committee is not able to take a position on the mode of financing. In order to do so and to ensure that the Tribunal can operate meanwhile, the Committee decided to recommend authorizing the Secretary-General to enter into commitments for the period 15 April to 14 July 1995, and decided also to set 14 July as the deadline for the Committee to take a decision regarding the mode of financing.

Agenda item 146 *(continued)*

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991: report of the Fifth Committee (Part III) (A/49/810/Add.2)

The President: If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the report of the Fifth Committee that is before it today.

It was so decided.

The President: Statements will therefore be limited to explanations of vote or position.

The positions of delegations regarding the recommendations of the Fifth Committee have been made clear in the Committee and are reflected in the relevant official records. May I remind members that under paragraph 7 of decision 34/401, the General Assembly agreed that

> "When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, i.e., either in the Committee or in plenary meeting unless that delegation's vote in plenary meeting is different from its vote in the Committee".

May I remind delegations that, also in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the report of the Fifth Committee on agenda item 146, I should like to advise representatives that we are going to proceed to take a decision in the same manner as was done in the Fifth Committee.

The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 8 of Part III of its report. The draft resolution was adopted by the Fifth Committee without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 49/242).

The President: The General Assembly thus has concluded this stage of its consideration of agenda item 146.

Programme of work

One item remains on our agenda for this morning, but it would seem that we no longer have the quorum necessary to take a decision on the request for the reopening of agenda item 97 entitled "Advancement of women" in order to enable the General Assembly to consider the recommendations by the Commission on the Status of Women. In view of this fact, and considering that documents A/49/887 and Corr.1 on this item were circulated only this morning, I therefore postpone consideration of the item to the earliest possible time next week.

The meeting rose at 11.35 a.m.

United Nations A/49/PV.102

General Assembly

Forty-ninth Session

Official Records

102nd Meeting
Friday, 21 April 1995, 10 a.m.
New York

President: Mr. Essy . . . . . Côte d'Ivoire

In the absence of the President, Prince Sisowath (Cambodia), Vice-President took the Chair.

The meeting was called to order at 10.50 a.m.

Agenda item 8 *(continued)*

Adoption of the agenda and organization of work

Request for the reopening of the consideration of agenda item 97 (Advancement of women): note by the Secretary-General (A/49/887 and Corr.1)

The President *(interpretation from French)*: In his note A/49/887 and Corr.1, the Secretary-General informs the General Assembly that in resolution 45/129 of 14 December 1990 and again in resolution 46/98 of 16 December 1991, the General Assembly endorsed Economic and Social Council resolution 1990/12 of 24 May 1990, in which the Council recommended that a world conference on women should be held in 1995 and requested that the Commission on the Status of Women act as the preparatory body for the world conference.

At its thirty-ninth session, held at Headquarters from 15 March to 7 April 1995, the Commission on the Status of Women, as the preparatory body for the Fourth World Conference on Women: Action for Equality, Development and Peace, decided to recommend to the General Assembly the adoption of a draft resolution entitled "Accreditation of non-governmental organizations to the Fourth World Conference on Women".

At the same session, the Commission approved the provisional rules of procedure of the Fourth World Conference on Women: Action for Equality, Development and Peace, and recommended their adoption by the General Assembly.

In order for the General Assembly to take action on the recommendations of the Commission on the Status of Women, as the preparatory body for the Fourth World Conference on Women, it will be necessary to reopen consideration of agenda item 97, entitled "Advancement of Women".

May I take it that the General Assembly wishes to reopen consideration of agenda item 97, entitled "Advancement of Women"?

It was so decided.

The President *(interpretation from French)*: Representatives are aware that this agenda item was allocated to the Third Committee. However, in order for the Assembly to proceed expeditiously on this matter, may I take it that the Assembly wishes to consider the recommendations by the Commission on the Status of Women directly in plenary meeting?

It was so decided.

The President *(interpretation from French)*: May I further take it that the Assembly agrees to proceed immediately to the consideration of the recommendations

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by the Commission on the Status of Women, the text of which, for ease of reference, is reproduced in document A/49/887 and Corr.1.

Agenda item 97 *(continued)*

Advancement of women: note by the Secretary-General (A/49/877 and Corr.1)

We shall now proceed to consider the draft resolution contained in annex I to document A/49/887, and the provisional rules of procedure of the Conference contained in annex II to document A/49/887 and in its Corrigendum 1.

I shall now call on those representatives who wish to speak in explanation of vote before the voting. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Wang Xuexian (China) *(interpretation from Chinese)*: The Chinese delegation wishes to make the following comments on the draft resolution concerning "Accreditation of non-governmental organizations to the Fourth World Conference on Women".

Firstly, the Chinese Government has all along attached importance to the role of non-governmental organizations (NGOs) in promoting the advancement of the status of women. As the host country, we welcome the non-governmental organizations that are dedicated to the advancement of women to Beijing, for the Fourth World Conference on Women and for the NGO Forum on Women, "Beijing '95", and wish both of them success in making in this way their contributions to the advancement of women throughout the world.

We are pleased to note that an overwhelming majority of the non-governmental organizations applying to participate in the Conference were accredited at the last and current sessions of the Commission on the Status of Women after being examined and recommended by its secretariat. The secretariat has done a great deal of work in examining the qualifications of non-governmental organizations for accreditation. The recommendations it has made in this regard are in line with the provisions set forth in General Assembly resolution 48/108.

Secondly, the Chinese delegation has already expressed its concern at the thirty-ninth Session of the Commission on the Status of Women over the substance of the draft resolution and its modalities for solving the question of the accreditation of non-governmental organizations, for those modalities breach the normal United Nations practice for accrediting non-governmental organizations to its international conferences, deprive the Commission of its mandate as the preparatory body for the Fourth World Conference on Women and alter the terms of reference of the Economic and Social Council by formulating and coordinating policies, that turn the Council into a body that will undertake operations specific to the Council's own subordinate organs. This is unprecedented in the practice of the United Nations and will set a disturbing and complicated precedent, both legally and procedurally.

Thirdly, we have consistently stood for regional balance in the accreditation of non-governmental organizations to international conferences and for equal participation by more non-governmental organizations from developing countries; we have proposed on many occasions that this principle be observed in the Commission's examination of the qualifications of non-governmental organizations for accreditation. However, there are no specific measures in the present draft resolution to address the question of regional balance, and this, instead of alleviating the serious problem of regional imbalance that now exists among the accredited non-governmental organizations, will further aggravate it.

Fourthly, at the thirty-ninth session of the Commission on the Status of Women several countries kept pressing for the accreditation of a very few non-governmental organizations that have nothing to do with the Conference and that are exclusively engaged in activities aimed at splitting up sovereign States. This practice of politicizing and complicating the question of accreditation is inconsistent with the purposes and principles of the Charter of the United Nations and contrary to the relevant resolutions on the issue of accreditation adopted by the General Assembly and the Commission on the Status of Women, and is thus detrimental to the smooth proceeding of the Conference. We believe that no country or non-governmental organization that is truly interested in the question of women and in the success of the Conference will support this practice.

It is on this basis that the Chinese delegation asks that the draft resolution be put to the vote and will abstain in the voting.

Mr. Maubert (France) (*interpretation from French*): On behalf of the European Union, I should like to recall the importance we attach to the General Assembly's adopting the draft resolution entitled "Accreditation of non-governmental organizations to the Fourth World Conference on Women".

I should like in this respect to recall that the European Union took the initiative of submitting this draft resolution to the Commission on the Status of Women with a view to completing the accreditation procedure for non-governmental organizations under conditions of transparency and strict adherence to rule, and also to allow for a rebalancing that would favour the South in the participation of non-governmental organizations in the Beijing Conference.

Following consultations with all the regional groups, we prepared the text that is before us today. I would recall that those consultations are reflected in the massive support of delegations, and — though this does not appear in the documents submitted to us today — I would stress that 78 delegations from all regional groups sponsored this text.

Consequently, we would like this text to be adopted today with the same massive support that it received in the Commission on the Status of Women, where, I would remind members, 40 countries spoke in favour and not one against. We hope for this unanimous support because it will enable the secretariat to work within time-frames that are none the less brief and difficult, will allow countries to speak out loud and clear and so ensure, thanks to the participation of the non-governmental organizations, the full success of the Beijing Conference.

The President (*interpretation from French*): We have heard the last speaker in explanation of vote before the voting.

We shall turn first to the draft resolution recommended by the Commission on the Status of Women, as the preparatory body for the Fourth World Conference on Women, contained in annex I to document A/49/887. The draft resolution is entitled "Accreditation of non-governmental organizations to the Fourth World Conference on Women".

The Assembly will now take a decision on the draft resolution. A recorded vote has been requested.

A recorded vote was taken.

In favour: Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Brazil, Bulgaria, Cambodia, Canada, Chile, Colombia, Côte d'Ivoire, Cyprus, Denmark, Ecuador, Estonia, Finland, France, Gabon, Germany, Greece, Guyana, Honduras, Hungary, Iceland, India, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Kenya, Kuwait, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Maldives, Malta, Mexico, Monaco, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Romania, Russian Federation, San Marino, Singapore, Slovakia, Slovenia, South Africa, Spain, Suriname, Sweden, Thailand, The Former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Viet Nam, Zimbabwe

Against: None

Abstaining: China

The draft resolution was adopted by 86 votes to none, with 1 abstention (resolution 49/243).

[Subsequently, the delegation of Nicaragua advised the Secretariat that it had intended to vote in favour].

The President (*interpretation from French*): We shall now take a decision on the provisional rules of procedure of the Fourth World Conference on Women, recommended for adoption by the Commission on the Status of Women as the preparatory body for the Conference, and contained in annex II to document A/49/887 and Corr.1.

May I take it that the Assembly decides to approve the provisional rules of procedure of the Fourth World Conference on Women: Action for Equality, Development and Peace?

It was so decided.

The President (*interpretation from French*): I shall now call on the representative of the United States of America, who wishes to speak in explanation of vote, after the vote. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Ms. Williams-Manigault (United States of America): My Government wishes to provide its views on the rules of procedure for the Fourth World Conference on Women, and particularly concerning the request by the European Union just approved that the European Community be given enhanced observer status in connection with the Conference.

Let me say at the outset that the United States welcomes the participation of the European Community in the preparatory work for the Conference. We fully appreciate the important role played by the European Community, both in terms of developing policies and of adding constructively to the deliberations of the United Nations and related bodies. That role is unquestioned.

We are increasingly faced with the question of the methods for participation of the European Community in United Nations participatory meetings and conferences, in light of the Community's unique legislative and administrative status within the structure of the European Union. The matter of the status and roles of observers in the United Nations is of some importance. This issue has recently been addressed, in relation to participation by observers in the General Assembly, by the Sixth Committee and the General Assembly, which decided to focus attention on the formulation and development of specific criteria for determining the granting of observer status at the General Assembly. Whether and under what circumstances to give observers a heightened status in other United Nations contexts and forums is a related issue of which we must be similarly watchful. In the normal course of things, we are accustomed to two basic categories of participation in official United Nations meetings and conferences: by States and by observers. To place an organization on a different footing from that which would customarily pertain to it requires meeting a special burden of proof on the basis of the application of accepted criteria.

As regards the European Community, we have understood that the basis which originally justified the recognition of enhanced observer status for it was the transfer, or ceding, of competence by European Union member States to the European Community in accordance with the provisions of the Treaty on European Union. As a result of this legally binding arrangement, in a particular subject area the European Community has an exclusive competence no longer possessed by the European Union States. In these circumstances, we have concurred that creating an extraordinary or special observer status for the European Community has been warranted.

On the basis of the criteria I have described, the European Community has received this heightened status in connection with certain other United Nations events in the recent past. The European Community also received General Assembly approval to participate in the United Nations Conference on Environment and Development, the International Conference on Population and Development and the World Summit for Social Development on terms comparable to those involved in the European Union request relating to the Beijing Conference.

With regard to the European Union's request for similar enhanced status for the European Community relating to the Conference on Women, my delegation discussed certain concerns with the European Union and the European Community, and we received information on the competences of the European Community relating to the subject matter of the Conference. It was explained to us that the European Community has a strong interest in this subject matter, that this subject matter is directly related to fundamental activities of the European Community and that, in relevant areas, competence has been legally transferred, by treaty, from the European Union members to the European Community.

A key question for us in any particular instance is, "Who speaks for the members of the European Union? Is it the European Union, the member States, or the European Community?" If the European Community is to have an enhanced status because of its exclusive or special competences — because there is an important need for the European Community to act as representative of the member States in those areas where competence has been legally transferred, by treaty, from the member States to the European Community — then, where the European Community intervenes or negotiates as the European Union's representative, we would question the appropriateness of having the member States or the European Union presidency speak or negotiate on the same matter for the European Union as well. To do otherwise and recognize the representation of the European Union by two different sets of voices and delegates at the same time, would lead only to a potential for significant confusion and disadvantage for other delegations.

With regard to the Beijing Conference, it is our understanding that the European Union presidency will indicate in advance on which matters the European Community will act as European Union representative. This is very important, as we and other delegations will

need to know to whom we should look in seeking to negotiate and reach agreement on any particular matter. In this regard, we understand this to mean that when the European Community acts as representative, it will do so in lieu of the European Union presidency.

We are pleased that the European Union has indicated that it does not regard a decision to approve enhanced status for the European Community as a precedent for any other conference.

Under these circumstances, and given the European Community's very strong desire to make a contribution to the Beijing Conference, my Government has supported the proposal by the European Union. We look forward to working closely with the European Union and the European Community in Beijing.

The President (*interpretation from French*): We have heard the only speaker in explanation of vote after the voting.

We have thus concluded this stage of our consideration of agenda item 97.

The meeting rose at 11.15 a.m.

United Nations A/49/PV.103

General Assembly

Forty-ninth Session

Official Records

103rd Meeting
Wednesday, 24 May 1995, 10 a.m.
New York

President: Essy ..... (Côte d'Ivoire)

The meeting was called to order at 10.40 a.m.

Agenda item 112 (*continued*)

Scale of assessments for the apportionment of the expenses of the United Nations

Article 19 of the Charter (A/49/838/Add.2)

The President (*interpretation from French*): In a letter contained in document A/49/838/Add.2, the Secretary-General informs me that, since the issuance of his communications dated 26 January 1995 (A/49/838/Add.1) and 28 February 1995 (A/49/838/Add.1), Haiti has made the necessary payment to reduce its arrears below the amount specified in Article 19 of the Charter.

May I take it that the General Assembly duly takes note of this information?

It was so decided.

Agenda item 44 (*continued*)

Commemoration of the fiftieth anniversary of the United Nations in 1995:

(a) Report of the Preparatory Committee for the Fiftieth Anniversary of the United Nations (A/49/48/Add.1)

(b) Draft resolution (A/49/48/Add.1, para. 4

The President (*interpretation from French*): Members will recall that, at its 55th plenary meeting held on 9 November 1994, the General Assembly adopted resolutions 49/11 and 49/12 under agenda item 44.

The Assembly now has before it the report of the Preparatory Committee for the Fiftieth Anniversary of the United Nations circulated in document A/49/48/Add.1. In this connection, the Assembly has before it a draft resolution contained in paragraph 4 of that report.

At the request of the Chairman of the Preparatory Committee and in view of the desire of the Members to dispose of this item expeditiously, I should like to consult the Assembly with a view to proceeding immediately to consider the draft resolution contained in document A/49/48/Add.1. In this connection, since the draft resolution was circulated only this morning it would be necessary to waive the relevant provision of rule 78 of the rules of procedure, which reads as follows:

> "As a general rule, no proposal shall be discussed or put to the vote at any meeting of the General Assembly unless copies of it have been circulated to all delegations not later than the day preceding the meeting."

Unless I hear any objections, I shall take it that the General Assembly agrees with this proposal.

It was so decided.

95-85507 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one month of the date of the meeting*, to the Chief of the Verbatim Reporting Section, Room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

The President (*interpretation from French*): I now request Mr. Zbigniew Wlosowicz, one of the Vice-Chairmen of the Preparatory Committee for the Fiftieth Anniversary of the United Nations, to introduce the Committee's report.

Mr. Wlosowicz (Poland), Vice-Chairman of the Preparatory Committee for the Fiftieth Anniversary of the United Nations: On behalf of the Bureau of the Preparatory Committee, I should like to introduce the report of the Committee contained in document A/49/48/Add.1 of 23 May 1995.

Members will recall that the Preparatory Committee has been considering the organization of the list of speakers. This has been the subject of extensive consultations of the Committee. It is my honour today to introduce the Committee's recommendation to the General Assembly that it should adopt the following draft resolution:

> *"Organization of the list of speakers for the Special Commemorative Meeting of the General Assembly on the occasion of the fiftieth anniversary of the United Nations*
>
> "*The General Assembly*,
>
> "*Recalling* its resolution 48/215 B of 26 May 1994, in which it decided to convene a special commemorative meeting on the occasion of the fiftieth anniversary of the entry into force of the Charter of the United Nations, to be held at United Nations Headquarters from 22 to 24 October 1995,
>
> "*Also recalling* paragraph 8 of the report of the Preparatory Committee for the Fiftieth Anniversary of the United Nations, in which the modalities for inviting Palestine and, if they so request, other observers to attend the Special Commemorative Meeting were agreed upon,
>
> "1. *Decides* that the Special Commemorative Meeting shall be held for a total of six meetings on the basis of two meetings a day;
>
> "2. *Also decides* that the list of speakers for the Special Commemorative Meeting shall be organized in accordance with the procedure set forth in the annex to the present resolution."

"ANNEX

"Organization of the list of speakers for the Special Commemorative Meeting of the General Assembly on the occasion of the fiftieth anniversary of the United Nations

"1. The list of speakers for the Special Commemorative Meeting will be established on the basis of six meetings, each meeting having 25 speaking slots with the exception of the meeting on Tuesday, 24 October 1995, in the afternoon, which will have 60 speaking slots.

"2. The first speaker in the Special Commemorative Meeting will be the Head of State of the host country of the Organization.

"3. The list of speakers for the Special Commemorative Meeting will be initially established as follows:

"(a) The Secretary-General or his representative will draw one name from a box containing the names of all Member States, observer States and Palestine, in its capacity as observer, participating in the Special Commemorative Meeting. This procedure will be repeated until all names have been drawn from the box, thus establishing the order in which participants will be invited to choose their meetings and select their speaking slots;

"(b) Six boxes will be prepared, each one representing a meeting and each one containing numbers corresponding to speaking slots at that meeting;

"(c) Once the name of a Member State, observer State or Palestine in its capacity as observer has been drawn by the Secretary-General or his representative, that Member State, observer State or Palestine in its capacity as observer, will be invited to first choose a meeting and then draw from the appropriate box the number indicating the speaking slot in the meeting;

"(d) A number of speaking slots at each meeting will be reserved for observers participating in the Special Commemorative Meeting. They will be invited to participate in the initial establishment of the list of speakers in the same manner as

Member States, observer States and Palestine, in its capacity as observer, but from a different set of six boxes.

"4. The establishment of the initial list of speakers for the Special Commemorative Meeting as outlined in paragraph 3 of the present annex will take place at a meeting of the Preparatory Committee for the Fiftieth Anniversary of the United Nations to be held on 7 June 1995.

"5. Subsequently, the list of speakers for each meeting will be rearranged in accordance with the established practice of the General Assembly when organizing each category of speakers, following the order resulting from the selection process outlined in paragraph 3 of the present annex:

"(a) Heads of State will thus be accorded first priority, followed by vice-presidents, crown princes/princesses, heads of government, the highest ranking official of the Holy See and Switzerland as observer States and Palestine in its capacity as observer, ministers, permanent representatives and other observers;

"(b) In the event that the level at which a statement is to me made is subsequently changed, the speaker will be moved to the next available speaking slot in the appropriate category at the same meeting;

"(c) Participants may arrange to exchange their speaking slots in accordance with the established practice of the General Assembly;

"(d) Speakers who are not present when their speaking turn comes will be automatically moved to the next available speaking slot within their category.

"6. In order to accommodate all speakers at the Special Commemorative Meeting, statements should be limited to five minutes, on the understanding that this will not preclude the circulation of more extensive texts.

"7. The full text of all speeches provided to the Special Commemorative Meeting will be subsequently published in a bound book."

On behalf of the Preparatory Committee, I should like to express my appreciation to all members of the Committee for their cooperation in producing this draft resolution, which has been adopted unanimously by the Preparatory Committee and which I recommend for adoption by the General Assembly this morning.

The President (*interpretation from French*): The Assembly will now take a decision on the draft resolution entitled "Organization of the list of speakers for the Special Commemorative Meeting of the General Assembly on the occasion of the fiftieth anniversary of the United Nations", which is contained in paragraph 4 of the report of the Preparatory Committee (A/49/48/Add.1). May I take it that the Assembly decides to adopt the draft resolution?

The draft resolution was adopted (resolution 49/12 B).

The President (*interpretation from French*): Before calling on the first speaker in explanation of position, may I remind delegations that explanations of vote or position are limited to 10 minutes and should be made by delegations from their seats.

I shall now call on those representatives who wish to explain their positions on the resolution just adopted.

Mr. Jacob (Israel): Israel is looking forward to the fiftieth anniversary of the United Nations. With regard to the resolution just adopted, we understand that this document does not represent any change in the status of the Palestine Liberation Organization as an observer organization within the United Nations system.

Mr. Birenbaum (United States of America): The United States delegation has joined in the consensus to adopt the resolution before us, which sets out the modalities of and arrangements to be made for the upcoming Special Commemorative Meeting to celebrate the fiftieth anniversary of the United Nations.

The six special meetings and the other events that will take place in conjunction with the unprecedented gathering of world leaders will truly be an historic occasion. As host country and as host city to the United Nations, the United States Government and the city of New York are honoured to be in a position to welcome Heads of State and Government and are proud to serve as their hosts at several functions to be held in honour of the Commemorative Meeting.

Because of the importance of the Special Commemorative Meeting, we are pleased that the

speaking arrangements were formulated in the spirit of cooperation and now meet the protocol needs of all concerned. We are pleased to have agreed on a revised speakers' list for this occasion on a basis that does not affect the status of observer States or any other observer. These special arrangements have been made in recognition of the unique character of the fiftieth anniversary celebrations and should not be seen as a precedent for any other purpose.

The President (*interpretation from French*): We have heard the last speaker in explanation of position.

We have thus concluded this stage of our consideration of agenda item 44.

Agenda item 164

Election of judges of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Letter from the President of the Security Council (A/49/889)

Memorandum by the Secretary-General (A/49/893)

Curricula vitae (A/49/894)

The President (*interpretation from French*): As members may recall, by its resolution 955 (1994) of 8 November 1994 the Security Council adopted the statute of the International Tribunal for Rwanda.

Pursuant to article 12, paragraph 2 of the statute of the International Tribunal for Rwanda, the members of the Appeals Chamber of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 shall also serve as the members of the Appeals Chamber of the International Tribunal for Rwanda.

According to article 12, paragraph 3 of the statute of the International Tribunal for Rwanda, the six judges of the Trial Chambers of the International Tribunal for Rwanda shall be elected by the General Assembly from a list of candidates submitted by the Security Council.

In connection with this election, I should like to bring the following matters to the attention of the General Assembly.

Firstly, at its 3524th meeting, on 24 April 1995, the Security Council, in accordance with article 12, subparagraph 3 (c) of the statute of the International Tribunal for Rwanda, established in resolution 989 (1995) a list of 12 candidates, taking due account of adequate representation of the principal legal systems of the world. The list was formally conveyed to the President of the General Assembly by letter dated 24 April 1995 from the President of the Security Council. The letter was issued as document A/49/889.

Secondly, in accordance with article 12, subparagraph 3 (a) of the statute of the International Tribunal for Rwanda, the Holy See and Switzerland, the two non-Member States which were invited to nominate judges for the Trial Chambers of the International Tribunal for Rwanda, shall participate in the election in the same manner as the States Members of the United Nations. On this occasion, I am happy to welcome here the representatives of the Holy See and Switzerland.

Thirdly, in accordance with article 12, paragraph 5 of the statute of the International Tribunal for Rwanda, the judges shall be elected for a term of four years. They will serve on a full-time basis and therefore cannot engage in any other occupation of a professional nature during their tenure. Moreover, the judges of the International Tribunal for Rwanda will take office, upon two months' notice, shortly before the commencement of trial proceedings. However, they may be convened beforehand for an extraordinary session for the purpose of adopting the rules of procedure and evidence of the International Tribunal for Rwanda.

Finally, I should like to draw the Assembly's attention to the documents relating to the election. The memorandum by the Secretary-General concerning the election of judges of the International Tribunal for Rwanda is contained in document A/49/893. The list of candidates for judges of the Trial Chambers of the International Tribunal for Rwanda is to be found in paragraph 8 of document A/49/893.

The curricula vitae of the candidates are found in document A/49/894. In that connection, I wish to direct

the Assembly's attention to the provision of article 12, paragraph 1 of the statute of the International Tribunal for Rwanda, which reads as follows:

> "The judges shall be persons of high moral character, impartiality and integrity who possess the qualifications required in their respective countries for appointment to the highest judicial offices. In the overall composition of the Chambers due account shall be taken of the experience of the judges in criminal law, international law, including international humanitarian law and human rights law." (*S/1994/1168, annex, article 12, para. 1*)

As delegates know, the election of judges will take place in accordance with the relevant provisions of article 12 of the statute of the International Tribunal for Rwanda.

Furthermore, given the similar nature of the election of judges of the International Court of Justice and the election of judges of the Trial Chambers of the International Tribunal for Rwanda, the Secretary-General suggests in his memorandum that the General Assembly proceed in the same manner as it did in the election of the judges of the International Tribunal for the Former Yugoslavia.

May I take it that the Assembly agrees to that suggestion?

I hear no objection.

It was so decided.

The President (*interpretation from French*): In accordance with article 12, subparagraph 3 (d) of the statute of the International Tribunal for Rwanda, the candidates who receive an absolute majority of the votes of States Members of the United Nations and of the non-Member States maintaining permanent observer missions at United Nations Headquarters will be declared elected.

The practice of the United Nations has always been to interpret the words "absolute majority" as meaning a majority of all electors, whether or not they take part in the voting. The electors, for this purpose, are all 185 Member States and two non-Member States — the Holy See and Switzerland. Accordingly, 94 votes constitute an absolute majority for the purpose of electing judges of the Trial Chambers of the International Tribunal for Rwanda.

If, in the first ballot, fewer than the required number of candidates obtain an absolute majority, there will be a second ballot, possibly to be followed by other rounds of balloting until the required number of candidates have obtained an absolute majority.

Following the practice in the election of judges of the International Court of Justice, the Secretary-General suggests in his memorandum that, after the first ballot, other rounds of balloting should be unrestricted.

He suggested also that, in accordance with the practice followed in the elections of the judges of the International Court of Justice, if more than the required number of candidates obtain an absolute majority of votes in the first ballot, all candidates will be included in a second ballot and balloting will continue until the exact number of candidates required, and no more, have obtained an absolute majority.

May I take it that the Assembly agrees to the procedures I have just outlined?

I hear no objection.

It was so decided.

The President (*interpretation from French*): I now call on the observer of the Holy See.

Monsignor Mamberti (Holy See) (*interpretation from French*): First of all, I wish to thank you, Mr. President, for your words of welcome to the non-member States that have been called upon to take part in this meeting.

The Holy See followed with anguish and alarm the events that covered Rwanda in blood last year. On many occasions, His Holiness Pope John Paul II has deplored the mindless violence and called for an end to the massacres, which were sometimes even committed in churches, where innocent, unarmed people thought they had found sanctuary.

The Holy See approved of the establishment of the International Criminal Tribunal for Rwanda, which is an expression of the international community's commitment to fighting violations of human rights, and it expressed its support by making a symbolic contribution to the special fund established by the Secretary-General to finance the activities of the Tribunal.

The Holy See appreciates the invitation from the United Nations to join in the appointment of the judges of the Tribunal. None the less, considering its special position and special role in the community of nations, the Holy See does not intend to take active part in choosing the people who will exercise these functions. Consequently, its delegation will abstain in the voting. The General Assembly will recall that the Holy See took the same position when the judges of the International Tribunal for the Former Yugoslavia were elected in September 1993.

The President (*interpretation from French*): We shall now proceed to the election.

The voting process has now begun.

Ballot papers will now be distributed. I request representatives to use only the ballot papers distributed. Only those candidates whose names appear on the ballot papers are eligible. Representatives will indicate the six candidates for whom they wish to vote by placing crosses to the left of the names on the ballot papers. Any ballot paper on which more than six names are marked will be considered invalid. Votes may be cast only for those candidates whose names appear on the ballot papers.

At the invitation of the President, Mr. Pacheco (Brazil), Mr. Kotrokois (Greece), Mr. Al-Harthy (Oman), Mr. Masuku (Swaziland) and Mr. Kulyk (Ukraine) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 11.15 a.m. and resumed at 12.30 p.m.

The President (*interpretation from French*): The result of the voting is as follows:

Number of ballot papers:	161
Number of invalid ballots:	0
Number of valid ballots:	161
Abstentions:	2
Number voting:	159
Required majority:	94
Number of votes obtained:	
Ms. Navanethem Pillay	119
Mr. Laïty Kama	94
Mr. T. H. Khan	94
Mr. Yakov A. Ostrovsky	92
Mr. William H. Sekule	88
Mr. Lennart Aspegren	79
Ms. Anne Marie Stoltz	76
Mr. Lloyd G. Williams	76
Mr. Jiří Toman	63
Mr. Edilbert Razafindralambo	57
Mr. Wamulungwe Mainga	53
Mr. Kevin Haugh	26

Having obtained an absolute majority, the following candidates were elected members of the Trial Chambers of the International Tribunal for Rwanda for a four-year term to begin, upon two months' notice, shortly before the commencement of trial proceedings: Mr. Laïty Kama, Mr. T. H. Khan and Ms. Navanethem Pillay.

The President (*interpretation from French*): The Assembly will have to proceed to a second ballot to fill the three remaining vacancies. In accordance with the decision taken earlier, this ballot will be unrestricted.

Ballot papers will now be distributed. All candidates whose names appear on the ballot papers are eligible. The names of the following three candidates, who have already obtained an absolute majority of votes, have been deleted: Mr. Laïty Kama, Mr. T. H. Khan and Ms. Navanethem Pillay.

Once again, I would remind delegations that the names of only three candidates should be marked with a cross. Any ballot paper on which more than three names are marked will be considered invalid. Votes may be cast only for those candidates whose names appear on the ballot papers.

At the invitation of the President, Mr. Pacheco (Brazil), Mr. Kotrokois (Greece), Mr. Al-Harthy (Oman), Mr. Masuku (Swaziland) and Mr. Kulyk (Ukraine) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 12.45 p.m. and resumed at 1.25 p.m.

The President (*interpretation from French*): The result of the voting is as follows:

Number of ballot papers:	158
Number of invalid ballots:	6
Number of valid ballots:	152
Abstentions:	2

Number voting:	150
Required majority:	94
Number of votes obtained:	
Mr. Yakov A. Ostrovsky	81
Mr. William H. Sekule	74
Mr. Lennart Aspegren	61
Mr. Lloyd G. Williams	61
Ms. Anne Marie Stoltz	60
Mr. Jiří Toman	33
Mr. Edilbert Razafindralambo	28
Mr. Wamulungwe Mainga	24
Mr. Kevin Haugh	9

The President (*interpretation from French*): No candidate has obtained an absolute majority.

I call on the representative of Ireland.

Mr. Biggar (Ireland): I wish to inform the members present that Mr. Kevin Haugh, the candidate nominated by Ireland, has decided to withdraw from this election in order to facilitate the election of the remaining three judges of the Tribunal.

Both Mr. Haugh and my authorities wish to express their gratitude to those Member States which showed their confidence in him by supporting his election.

The President (*interpretation from French*): The ballot paper for the next round of balloting will reflect the information just provided by the representative of Ireland.

In view of the lateness of the hour, I propose to suspend the meeting until this afternoon.

The meeting was suspended at 1.35 p.m. and resumed at 3.50 p.m.

The President (*interpretation from French*): Since no candidate obtained an absolute majority in the last round of balloting, the Assembly will have to proceed to another ballot to fill the three remaining vacancies. In accordance with the decision taken earlier, that ballot will be unrestricted.

Ballot papers will now be distributed. All candidates whose names appear on the ballot paper are eligible. The names of the following three candidates, who have already obtained an absolute majority of votes, have been deleted: Mr. Laïty Kama, Mr. T. H. Khan and Ms. Navanethem Pillay.

I wish to remind members that the representative of Ireland informed the Assembly this morning that Mr. Kevin Haugh had decided to withdraw his name from the list of candidates. Hence, Mr. Haugh's name has also been deleted from the ballot papers.

I wish to remind delegations once again that the names of only three candidates should be marked with a cross on the ballot papers just distributed. Any ballot paper on which more than three names have been marked will be declared invalid. Votes may be cast only for those whose names that appear on the ballot papers.

At the invitation of the President, Mr. Pacheco (Brazil), Mr. Kotrokois (Greece), Mr. Al-Harthy (Oman), Mr. Masuku (Swaziland) and Mr. Kulyk (Ukraine) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 4 p.m. and resumed at 4.35 p.m.

The President (*interpretation from French*): The result of the voting is as follows:

Number of ballot papers:	144
Number of invalid ballots:	0
Number of valid ballots:	144
Abstentions:	1
Number voting:	143
Required majority:	94
Number of votes obtained:	
Mr. Yakov A. Ostrovsky	92
Mr. William H. Sekule	89
Mr. Lennart Aspegren	62
Mr. Lloyd G. Williams	58
Ms. Anne Marie Stoltz	53
Mr. Jiří Toman	25
Mr. Edilbert Razafindralambo	18
Mr. Wamulungwe Mainga	14

The President (*interpretation from French*): Once again, no candidate obtained an absolute majority. The Assembly will have to proceed to a further round of balloting.

I call on the representative of Zambia.

Mr. Kasanda (Zambia): On behalf of the Zambian delegation, I should like to inform the Assembly that

Zambia has decided to withdraw its candidature from the remainder of the voting.

I should like to take this opportunity to thank all our supporters for giving us their support throughout the voting, and particularly those who stayed with us up to the end.

The President (*interpretation from French*): A representative has stated that his Government has withdrawn its candidate for election to the Trial Chambers of the International Tribunal for Rwanda. However, the nomination stage is over. Nominations were placed before the Security Council, not the General Assembly.

The Assembly elects not from nominations received, but from the list of candidates established by the Security Council. Thus, it is no longer timely for a government to withdraw a nomination. However, the candidate may himself or herself withdraw from the election and have his or her name removed from the list. A representative may of course announce that his national has decided to withdraw his or her name from the list.

Does the representative of Zambia wish to do so?

Mr. Kasanda (Zambia): With a view to facilitating the voting, in consultation with and on behalf of the candidate, I wish to convey the candidate's instruction that his name be withdrawn from the list of candidates.

The President (*interpretation from French*): I now propose to suspend the meeting briefly while new ballot papers are prepared to reflect the withdrawal of Mr. Wamulungwe Mainga's name from the list of candidates.

The meeting was suspended at 4.45 p.m. and resumed at 5.35 p.m.

The President (*interpretation from French*): I call on the representative of the Czech Republic.

Mr. Kovanda (Czech Republic): First of all, I would like on behalf of my delegation to congratulate, through their respective delegations, Judges Kama, Khan and Pillay on their election. I have been in touch with Mr. Jiří Toman, the candidate offered by the Czech Republic, and in view of the developments in the voting he has authorized me to withdraw his candidature. My delegation is grateful to Mr. Toman for this gesture, which no doubt will accelerate and simplify our work here. But we are most grateful to all the delegations that have been supporting his candidacy; we have been particularly touched by the loyalty of the 24 delegations other than our own that stuck with him through the third round of balloting.

I believe that subsequent ballots should reflect the absence of Mr. Toman as a candidate.

The President (*interpretation from French*): Mr. Jiří Toman's name will be deleted from the ballot papers as has been that of Mr. Wamulungwe Mainga, who, through the representative of Zambia, withdrew his name from the list of candidates earlier this afternoon.

As I informed members before the suspension, the Assembly must now conduct a further round of balloting for the three seats remaining to be filled. In accordance with the decision taken earlier, this will be an unrestricted ballot. Ballot papers will now be distributed. All candidates whose names appear on the ballot paper are eligible.

Once again, I would remind delegations that the names of only three candidates should be marked with a cross. Any ballot paper on which more than three names are marked will be considered invalid. Votes may be cast only for those whose names appear on the ballot papers.

At the invitation of the President, Mr. Pacheco (Brazil), Mr. Kotrokois (Greece), Mr. Al-Harthy (Oman), Mr. Masuku (Swaziland) and Mr. Kulyk (Ukraine) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 5.50 p.m. and resumed at 6.40 p.m.

The President (*interpretation from French*): The result of the voting is as follows:

Number of ballot papers:	149
Number of invalid ballots:	0
Number of valid ballots:	149
Abstentions:	1
Number voting:	148
Required majority:	94
Number of votes obtained:	
Mr. Yakov A. Ostrovsky	107
Mr. William H. Sekule	103
Mr. Lennart Aspegren	73

Mr. Lloyd G. Williams	58
Ms. Anne Marie Stoltz	54
Mr. Edilbert Razafindralambo	21

Having obtained an absolute majority, the following candidates were elected members of the Trial Chambers of the International Tribunal for Rwanda for a four-year term to begin, upon two months' notice, shortly before the commencement of trial proceedings: Mr. Ya'ov A. Ostrovsky and Mr. William H. Sekule.

The President (*interpretation from French*): The Assembly will have to proceed to another ballot to fill the remaining vacancy. In accordance with the decision taken earlier, this ballot will be unrestricted.

Ballot papers will now be distributed. All candidates whose names appear on the ballot papers are eligible. The names of the following two candidates, who have just obtained an absolute majority of votes, have been deleted: Mr. Yakov A. Ostrovsky and Mr. William H. Sekule.

Once again, I would remind delegations that only the names of one candidate should be marked with a cross. Any ballot paper on which more than one name is marked will be considered invalid. Votes may be cast only for those whose names appear on the ballot papers.

At the invitation of the President, Mr. Pacheco (Brazil), Mr. Kotrokois (Greece), Mr. Al-Harthy (Oman), Mr. Masuku (Swaziland) and Mr. Kulyk (Ukraine) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 6.55 p.m. and resumed at 7.20 p.m.

The President (*interpretation from French*): The result of the voting is as follows:

Number of ballot papers:	136
Number of invalid ballots:	2
Number of valid ballots:	134
Abstentions:	1
Number voting:	133
Required majority:	94
Number of votes obtained:	
Mr. Lennart Aspegren	75
Mr. Lloyd G. Williams	30
Ms. Anne Marie Stoltz	23
Mr. Edilbert Razafindralambo	5

The President (*interpretation from French*): No candidate received an absolute majority in this round of balloting. The Assembly must therefore conduct a further round of balloting to fill the remaining vacancy.

In view of the lateness of the hour, I propose to suspend this meeting until tomorrow morning.

The meeting was suspended at 7.25 p.m. on Wednesday, 24 May, and resumed at 11.25 a.m. on Thursday, 25 May.

The President (*interpretation from French*): Members will recall that yesterday the following five candidates were elected members of the Trial Chambers of the International Tribunal for Rwanda for a four-year term and will take office, upon two months' notice, shortly before the commencement of trial proceedings: Mr. Laïty Kama, Mr. T. H. Khan, Mr. Yakov A. Ostrovsky, Ms. Navanethem Pillay and Mr. William H. Sekule.

In the fifth ballot completed yesterday to fill the remaining seat, again no candidate obtained an absolute majority.

I call on the representative of Norway.

Ms. Jonsvik (Norway): The Permanent Mission of Norway wishes to congratulate the five elected candidates from Bangladesh, the Russian Federation, Senegal, South Africa and Tanzania.

On behalf of the Norwegian candidate, Ms. Anne Marie Stoltz, we wish to convey our appreciation for the support she has received in these elections and to thank all the delegations that voted for her. However, Ms. Stoltz is no longer a candidate for election to the Tribunal, as she has decided to withdraw from the elections in favour of the candidate from Sweden, Mr. Aspegren.

The President (*interpretation from French*): I call now on the representative of Madagascar.

Mr. Ravelomantsoa-Ratsimihah (Madagascar) (*interpretation from French*): In order to facilitate the election process for the International Criminal Tribunal for Rwanda, the delegation of Madagascar wishes to

announce that its candidate has decided to withdraw his candidature. I take this opportunity to thank all the delegations which were kind enough to support our candidate until the most recent round, and to wish good luck to the candidate who is elected by the General Assembly by absolute majority.

The President (*interpretation from French*): Representatives have heard the statements made by the representatives of Norway and Madagascar. The names of Mr. Edilbert Razafindralambo and Ms. Anne Marie Stoltz have been deleted from the ballot papers.

As announced yesterday, the Assembly will have to proceed to another ballot to fill the remaining vacancy. In accordance with the decision taken yesterday, this ballot will be unrestricted.

Ballot papers will now be distributed. All candidates whose names appear on the ballot papers are eligible. I would remind delegations that the name of only one candidate should be marked with a cross. Any ballot paper on which more than one name is marked will be considered invalid. Votes may be cast only for one of those whose names appear on the ballot papers.

At the invitation of the President, Mr. Maddens (Belgium), Mr. Pacheco (Brazil), Mr. Al-Harthy (Oman) and Mr. Kulyk (Ukraine) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 11.35 a.m. and resumed at 12.15 p.m.

The President (*interpretation from French*): The result of the voting is as follows:

Number of ballot papers:	135
Number of invalid ballots:	0
Number of valid ballots:	135
Abstentions:	2
Number voting:	133
Required majority:	94
Number of votes obtained:	
Mr. Lennart Aspegren	77
Mr. Lloyd G. Williams	56

Once again, in this round of balloting, neither candidate obtained an absolute majority. The Assembly will have to proceed to another ballot to fill the one remaining vacant seat. In accordance with the decision taken earlier, this ballot will be unrestricted.

Ballot papers are being distributed. All candidates whose names appear on the ballot papers are eligible.

Once again, I would remind delegations that the name of only one candidate should be marked with a cross. Any ballot paper on which more than one name is marked will be considered invalid. Votes may be cast only for those candidates whose names appear on the ballot papers.

At the invitation of the President, Mr. Maddens (Belgium), Mr. Pacheco (Brazil), Mr. Al-Harthy (Oman) and Mr. Kulyk (Ukraine) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 12.30 p.m. and resumed at 12.55 p.m.

The President (*interpretation from French*): The result of the voting is as follows:

Number of ballot papers:	135
Number of invalid ballots:	0
Number of valid ballots:	135
Abstentions:	2
Number voting:	133
Required majority:	94
Number of votes obtained:	
Mr. Lennart Aspegren	83
Mr. Lloyd G. Williams	50

Once again, in this round of balloting, neither candidate obtained an absolute majority.

Mr. Taylor (Saint Kitts and Nevis): In consultation with our candidate, the delegation of Saint Kitts and Nevis wishes to withdraw the candidature of Justice Lloyd Williams. I would further like to take this opportunity to thank all those delegations that voted for us in this election.

The President (*interpretation from French*): Representatives have heard the statement of the representative of Saint Kitts and Nevis. The name of Mr. Williams will accordingly been deleted from the ballot papers.

The Assembly will have to proceed to another ballot to fill the one remaining vacant seat. In accordance with the decision taken earlier, technically speaking, this ballot will be unrestricted.

Ballot papers will now be distributed. Only the candidate whose name appears on the ballot papers is eligible.

Once again, I would remind delegations that only the name of one candidate should be marked with a cross. Any ballot paper on which more than one name is marked will be considered invalid. Votes may be cast only for the candidate whose name appears on the ballot papers.

At the invitation of the President, Mr. Maddens (Belgium), Mr. Pacheco (Brazil), Mr. Al-Harthy (Oman) and Mr. Kulyk (Ukraine) acted as tellers.

A vote was taken by secret ballot.

The President (*interpretation from French*): The result of the voting is as follows:

Number of ballot papers:	129
Number of invalid ballots:	0
Number of valid ballots:	129
Abstentions:	9
Number voting:	120
Required majority:	94
Number of votes obtained:	
Mr. Lennart Aspegren	120

Having obtained an absolute majority, Mr. Lennart Aspegren was elected a member of the Trial Chambers of the International Tribunal for Rwanda for a four-year term to begin, upon two months' notice, shortly before the commencement of trial proceedings.

The President *(interpretation from French):* Having obtained an absolute majority, the following six candidates have been elected members of the Trial Chambers of the International Tribunal for Rwanda for a four-year term to begin, upon two months' notice, shortly before the commencement of trial proceedings: Mr. Lennart Aspegren, Mr. Laity Kama, Mr. T. H. Khan, Mr. Yakov A. Ostrovsky, Ms. Navanethem Pillay and Mr. William H. Sekule.

I take this opportunity to congratulate them on behalf of the Assembly and to thank the tellers for their help.

This concludes our consideration of agenda item 164.

The meeting rose at 1.20 p.m.